

IC 20-33

ARTICLE 33. STUDENTS: GENERAL PROVISIONS

IC 20-33-1

Chapter 1. Equal Educational Opportunity

IC 20-33-1-1

Policy

Sec. 1. The following is the public policy of the state:

- (1) To provide equal, nonsegregated, nondiscriminatory educational opportunities and facilities for all, regardless of race, creed, national origin, color, or sex.
- (2) To provide and furnish public schools and common schools equally open to all and prohibited and denied to none because of race, creed, color, or national origin.
- (3) To reaffirm the principles of the Bill of Rights, civil rights, and the Constitution of the State of Indiana.
- (4) To provide for the state and the citizens of Indiana a uniform democratic system of public and common school education.
- (5) To abolish, eliminate, and prohibit segregated and separate schools or school districts on the basis of race, creed, or color.
- (6) To eliminate and prohibit segregation, separation, and discrimination on the basis of race, color, or creed in the public kindergartens, common schools, public schools, vocational schools, colleges, and universities of Indiana.

As added by P.L.1-2005, SEC.17.

IC 20-33-1-2

Schools open to all

Sec. 2. The public schools of Indiana are open to all children until the children complete their courses of study, subject to the authority vested in school officials by law.

As added by P.L.1-2005, SEC.17.

IC 20-33-1-3

Segregation prohibited; student tracking practices review

Sec. 3. (a) The governing body of a school corporation and the board of trustees of a college or university may not build or erect, establish, maintain, continue, or permit any segregated or separate:

- (1) public kindergartens;
- (2) public schools or districts;
- (3) public school departments or divisions; or
- (4) colleges or universities;

on the basis of race, color, creed, or national origin of pupils or students.

(b) The officials described in subsection (a) may take any affirmative actions that are reasonable, feasible, and practical to effect greater integration and to reduce or prevent segregation or separation of races in public schools for whatever cause, including:

- (1) site selection; or
- (2) revision of:
 - (A) school districts;
 - (B) curricula; or
 - (C) enrollment policies;

to implement equalization of educational opportunity for all.

(c) A school corporation shall review the school corporation's programs to determine if the school corporation's practices of:

- (1) separating students by ability;
- (2) placing students into educational tracks; or
- (3) using test results to screen students;

have the effect of systematically separating students by race, color, creed, national origin, or socioeconomic class.

As added by P.L.1-2005, SEC.17.

IC 20-33-1-4

Segregation prohibited; pupils

Sec. 4. (a) A student is entitled to be admitted and enrolled in the public or common school in the school corporation in which the student resides without regard to race, creed, color, socioeconomic class, or national origin.

(b) A student may not be prohibited, segregated, or denied attendance or enrollment to:

- (1) a:
 - (A) public school;
 - (B) common school;
 - (C) junior high school; or
 - (D) high school;

in the student's school corporation; or

- (2) a college or university in Indiana;

because of the student's race, creed, color, or national origin.

(c) Every student is free to attend:

- (1) a:
 - (A) public school; or
 - (B) department or division of a public school; or
- (2) college or university in Indiana;

within the laws applicable alike to noncitizen and nonresident students.

As added by P.L.1-2005, SEC.17.

IC 20-33-1-5

Segregation prohibited; schools

Sec. 5. (a) A:

- (1) public school;
- (2) state college; or
- (3) state university;

may not segregate, separate, or discriminate against any of its students on the basis of race, creed, or color.

(b) Admission to a public school may not be approved or denied on the basis of race, creed, or color.

As added by P.L.1-2005, SEC.17.

IC 20-33-1-6

Segregation prohibited; teachers

Sec. 6. A:

- (1) public school;
- (2) state college; or
- (3) state university;

may not discriminate in any way in the hiring, upgrading, tenure, or placement of any teacher on the basis of race, creed, color, or national origin.

As added by P.L.1-2005, SEC.17.

IC 20-33-1-7

Supplementary nature of chapter

Sec. 7. This chapter is supplemental to:

- (1) all common law, statutory law, and civil rights applicable to the public schools, common schools, colleges, and universities; and
- (2) the rights and remedies arising from these laws of the state and to the state's citizens.

As added by P.L.1-2005, SEC.17.